AT

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/707,963	11/08/2000	Asumaru Tezuka	Q61597	1062

7590 09/19/2005

Sughrue Mion Zinn MacPeak & Seas PLLC
2100 Pennsylvania Avenue N W
Washington, DC 20037-3213

EXAMINER	
BHATTACHARYA, SAM	

ART UNIT	PAPER NUMBER
2687	

DATE MAILED: 09/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/707,963	TEZUKA, ASUMARU	
	Examiner	Art Unit	
	Sam Bhattacharya	2687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 July 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23 and 25-29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23 and 25-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *20050725*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to amendment filed on July 25, 2005.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 3-10, 12, 13, 14, 16-23 and 25-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,366,784 to Hsueh in view of Torrey et al. (U.S. Patent 6,466,799) and Bultman (U.S. Patent 6,804,536).

As to claim 1, Figures 1, 3, and 4 in Hsueh show a multifunction telephone switching system comprising:

a portable radiophone (7) (see Col. 2, lines 34-45);

a plurality of multifunction telephones, a specific one of which is connected to said portable radiophone (see Col. 2, lines 34-45 and Col. 3, lines 41-46); and

said specific multifunction telephone responds to said arrived call at said portable radiophone in response to the permission (see Col. 2, line 61 to Col. 3, line 6)

However, it does not disclose a control unit connected to said plurality of multifunction telephones to manage said plurality of multifunction telephones, wherein said specific multifunction telephone notifies said control unit of a call arrival at said portable radiophone, and

said control unit permits response to an arrived call for said specific multifunction telephone based on an operation state of said specific multifunction telephone.

The Torrey reference teaches a control unit connected to said plurality of multifunction telephones to manage said plurality of multifunction telephones (see Col. 3, lines 40-53 and Figure 1A), wherein said specific multifunction telephone notifies said control unit of a call arrival at said portable radiophone (see Col. 5, lines 34-49 and Col. 6, lines 38-54); and

said control unit permits response to an arrived call for said specific multifunction telephone based on an operation state of said specific multifunction telephone (see Col. 6, lines 38-54).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the switching system of Hsueh to comprise a control unit connected to said plurality of multifunction telephones to manage said plurality of multifunction telephones, wherein said specific multifunction telephone notifies said control unit of a call arrival at said portable radiophone; and said control unit permits response to an arrived call for said specific multifunction telephone based on an operation state of said specific multifunction telephone, as taught by Torrey, in order to allow a user to place and receive wireless calls from standard telephonic devices.

The combination of Hsueh and Torrey fails to disclose a control unit that switches the specific multifunction telephone from a wired line communication mode to a radio communication mode to answer a call addressed to the portable telephone via the specific multifunction telephone.

In an analogous art, Bultman discloses a wireless communication system which includes a control unit 1004 that switches a multifunction telephone 220 from a wired line communication mode to a radio communication mode to answer a received call addressed the portable telephone 224 via the multifunction telephone 220. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the switching system of Hsueh and Torrey by including a control unit that switches the communication mode from wired line to radio, as taught by Bultman, to consolidate the portable and fixed phone services into one system, thereby eliminating the need for multiple systems.

As to claim 3, Hsueh-Torrey-Bultman discloses the multifunction telephone switching system according to claim 1, when said multifunction telephone cannot respond to said arrived call, said control unit selects another multifunctional telephone from said plurality of multifunction telephones based on the operation states of said plurality of multifunction telephones, and permits the response to said arrived call to said another multifunction telephone, and said another multifunction telephone responds to said arrived call in response to the permission (Torrey: see Col. 6, lines 55-67).

As to claim 4, Hsueh-Torrey-Bultman discloses the multifunction telephone switching system according to claim 3, wherein said control unit determines that said specific multifunction telephone cannot respond said arrived call, when said operation state of said specific multifunction telephone is busy (Torrey: see Col. 6, lines 38-54).

As to claim 5, Hsueh-Torrey-Bultman discloses the multifunction telephone switching system according to claim 3, wherein said control unit determines that said specific multifunction telephone cannot respond to said arrived call, when said specific multifunction telephone lacks at

least one of a handset and a set having a speaker and a microphone (Torrey: see Col. 6, lines 55-67. Without a handset and/or a speaker and a microphone, the multifunction telephone cannot receive a call and go into off-hook condition that the control unit monitors to determine the multifunctional telephone respond to an arrived call).

As to claim 6, Hsueh-Torrey-Bultman discloses the multifunction telephone switching system according to claim 1, wherein said control unit comprises a data storage which stores operation data indicative of said operation state of each of said plurality of multifunction telephones, and refers to said data storage to determine whether each of said plurality of multifunction telephones is occupied (Torrey: see Col. 4, lines 35-53).

As to claim 7, Hsueh-Torrey-Bultman discloses the multifunction telephone switching system according to claim 1, wherein said specific multifunction telephone can respond to said arrived call at said portable radiophone without waiting for the permission when the permission is previously given (Torrey: see Col 5, lines 19- 26 and Col. 6, lines 1-16).

As to claim 8, Hsueh-Torrey-Bultman discloses the multifunction telephone switching system according to claim 1, wherein said specific multifunction telephone notifies said control unit of a line disconnection when communication through said portable radiophone is ended, and said control unit sets said specific multifunction telephone to a vacant state (Torrey: see Col. 6, lines 52-54 and 65-67, and Col. 7, lines 8-10).

As to claim 9, Hsueh-Torrey-Bultman discloses the multifunction telephone switching system according to claim 1, wherein said specific multifunction telephone communicates with any of said plurality of multifunction telephones by use of said control unit (Torrey: see Col. 2, lines 60-64, Col. 4, lines 15-22, and Figure 2A).

As to claim 10, Hsueh-Torrey-Bultman discloses the multifunction telephone switching system according to claim 1, wherein said specific multifunction telephone originates a dial data comprising a dial number of a destination radiophone, and notifies the origination of the dial data to said control unit, and said portable radiophone originates a call to said destination radiophone based on said dial data (Torrey: see Col. 5, lines 11-18 and lines 50-67).

As to claim 12, Figures 1 and 3 in Hsueh shows a multifunction telephone (1) comprising:

a handset (4) (see Col. 2, lines 34-45);

a connection control section (6, 11) to which a portable radiophone (7) is to be connected (see Col. 2, lines 34-45); and

a communication control section for controlling a wired line communication and a radio channel communication through said connection control section and said portable radiophone (see Col. 2, line 61 to Col. 3, line 6, and Col. 3, lines 41-49).

wherein said communication control section detects a call arrival at said portable radiophone through said connection control section, and responds to an arrived call at said portable radiophone through said connection control section when the response to said arrived call is permitted (see Col. 2, line 61 to Col. 3, line 6).

However, it does not disclose a control unit connected to said plurality of multifunction telephones to manage said plurality of multifunction telephones, wherein said specific multifunction telephone notifies said control unit of a call arrival at said portable radiophone, and said control unit permits response to an arrived call for said specific multifunction telephone based on an operation state of said specific multifunction telephone.

The Torrey reference teaches a control unit connected to said plurality of multifunction telephones to manage said plurality of multifunction telephones (see Col. 3, lines 40-53 and Figure 1A), wherein said specific multifunction telephone notifies said control unit of a call arrival at said portable radiophone (see Col. 5, lines 34-49 and Col. 6, lines 38-54); and

said control unit permits response to an arrived call for said specific multifunction telephone based on an operation state of said specific multifunction telephone (see Col. 6, lines 38-54).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the switching system of Hsueh to comprise a control unit connected to said plurality of multifunction telephones to manage said plurality of multifunction telephones, wherein said specific multifunction telephone notifies said control unit of a call arrival at said portable radiophone; and said control unit permits response to an arrived call for said specific multifunction telephone based on an operation state of said specific multifunction telephone, as taught by Torrey, in order to allow a user to place and receive wireless calls from standard telephonic devices.

The combination of Hsueh and Torrey fails to disclose a control unit that switches the specific multifunction telephone from a wired line communication mode to a radio communication mode to answer a call addressed to the portable telephone via the specific multifunction telephone.

In an analogous art, Bultman discloses a wireless communication system which includes a control unit 1004 that switches a multifunction telephone 220 from a wired line communication mode to a radio communication mode to answer a received call addressed the portable telephone

224 via the multifunction telephone 220. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the switching system of Hsueh and Torrey by including a control unit that switches the communication mode from wired line to radio, as taught by Bultman, to consolidate the portable and fixed phone services into one system, thereby eliminating the need for multiple systems.

As to claim 13, Hsueh-Torrey-Bultman discloses the multifunction telephone according to claim 12. However, it does not disclose said communication control section can respond to said arrived call at said portable radiophone through said connection control without waiting for the permission when the permission is previously given. The Torrey reference teaches said communication control section can respond to said arrived call at said portable radiophone through said connection control without waiting for the permission when the permission is previously given (see Col 5, lines 19- 26 and Col. 6, lines 1-16).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the multifunction telephone of Hsueh-Torrey-Bultman wherein said communication control section can respond to said arrived call at said portable radiophone through said connection control without waiting for the permission when the permission is previously given, as taught by Torrey, in order to allow a user to place and receive wireless calls from standard telephonic devices.

As to claim 14, the Hsueh reference discloses the multifunction telephone according to claim 12, wherein said communication control section receives said call arrival at said portable radiophone, and responds to an arrived call at said portable radiophone through said connection

control section when the response to said arrived call is permitted (see Col. 2, line 61 to Col. 3, line 6).

As to claim 16, Hsueh-Torrey-Bultman discloses the multifunction telephone according to claim 12. However, it does not disclose the communication control section outputs a line disconnection when communication through said connection control section and said portable radiophone is ended. The Torrey reference teaches the communication control section outputs a line disconnection when communication through said connection control section and said portable radiophone is ended (see Col. 6, lines 52-54 and 65-67, and Col. 7, lines 8-10).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the multifunction telephone of Hsueh-Torrey-Bultman wherein the communication control section outputs a line disconnection when communication through said connection control section and said portable radiophone is ended, as taught by Torrey, in order to end a call.

As to claim 17, Hsueh discloses the multifunction telephone according to claim 12, wherein the communication control section carries out an extension line communication with another multifunction telephone ("the telephone set 1 with the mobile phone 7 positioned in the slot 6 not only could be used as a regular telephone set but also could have any number of extension telephone sets connected to it" (Col. 3, lines 46-49).

As to claim 18, the Hsueh reference discloses the multifunction telephone according to claim 12, wherein said communication control section originates a dial data comprising a dial number of a destination radiophone through said connection control section, such that said

portable radiophone originates a call to said destination radiophone based on said dial data (see Col. 3, lines 18-29).

As to claim 19, the Hsueh reference discloses the multifunction telephone according to claim 12, wherein said communication control section receives a dial data comprising a dial number of a destination radiophone and sends said dial data through said connection control section, such that said portable radiophone originates a call to said destination radiophone based on said dial data (see Col. 3, lines 18-29).

As to claim 20, Figures 1 and 3 in Hsueh shows a multifunction telephone (1) comprising:

a handset (4) (see Col. 2, lines 34-45);

a connection control section (6, 11) to which a portable radiophone (7) is to be connected (see Col. 2, lines 34-45); and

a communication control section for controlling a wired line communication and a radio channel communication through said connection control section and said portable radiophone (see Col. 2, line 61 to Col. 3, line 6, and Col. 3, lines 41-49).

Hsueh-Torrey fails to disclose a control unit that switches the specific multifunction telephone from a wired line communication mode to a radio communication mode to answer a call addressed to the portable telephone via the specific multifunction telephone.

In an analogous art, Bultman discloses a wireless communication system which includes a control unit 1004 that switches a multifunction telephone 220 from a wired line communication mode to a radio communication mode to answer a received call addressed the portable telephone 224 via the multifunction telephone 220. Therefore, it would have been obvious to one having

ordinary skill in the art at the time the invention was made to modify the switching system of Hsueh and Torrey by including a control unit that switches the communication mode from wired line to radio, as taught by Bultman, to consolidate the portable and fixed phone services into one system, thereby eliminating the need for multiple systems.

As to claim 21, the Hsueh reference discloses the multifunction telephone according to claim 20. However, it does not disclose the communication control section notifies a control unit connected to said multifunctional telephone of a call arrival at said portable phone. The Torrey reference teaches the communication control section notifies a control unit connected to said multifunctional telephone of a call arrival at said portable phone (see Col. 5, lines 34-49 and Col. 6, lines 38-54).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the multifunction telephone of Hsueh wherein the communication control section notifies a control unit connected to said multifunctional telephone of a call arrival at said portable phone, as taught by Torrey, in order to receive a call.

As to claim 22, Hsueh discloses a multifunction telephone according to claim 20, wherein said communication control section detects a call arrival at said portable phone through said connection control section, and responds to the arrived call through said connection control section when the response to said arrived call is permitted (see Col. 2, line 61 to Col. 3, line 6).

As to claim 23, Hsueh discloses the multifunction telephone according to claim 20. However, it does not disclose said communication control section can respond to said arrived call at said portable phone through said connection control without waiting for the permission when the permission is previously given. The Torrey reference teaches said communication

control section can respond to said arrived call at said portable phone through said connection control without waiting for the permission when the permission is previously given (see Col 5, lines 19- 26 and Col. 6, lines 1-16).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the multifunction telephone of Hsueh wherein said communication control section can respond to said arrived call at said portable phone through said connection control without waiting for the permission when the permission is previously given, as taught by Torrey, in order to allow a user to place and receive wireless calls from standard telephonic devices.

As to claim 24, the Hsueh reference discloses the multifunction telephone according to claim 22, wherein said communication control section receives said call arrival at said portable radiophone, and responds to an arrived call through said connection control section when the response to said arrived call is permitted (see Col. 2, line 61 to Col. 3, line 6).

As to claim 25, Hsueh discloses that communication control section outputs an operation state of said multifunction telephone when the operation state is changed. See Col. 3, lines 41-49.

As to claim 26, the plurality of multifunction telephones in Hsueh are inherently private telephones of a private branch exchange network.

As to claim 27, Hsueh discloses that the portable radiophone corresponds with only one multifunction telephone from said plurality of multifunction telephones. See FIG. 1.

As to claim 28, Bultman discloses that said one multifunction telephone further comprises a suspension tone source section for converting the radio signal of a radiophone

network into a signal of the wired network, and vice versa. See col. 7, lines 30-56. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the switching system of Hsueh and Torrey by using a tone source section, as taught by Bultman, to detect a new call or ongoing call in either the wireline or wireless medium.

As to claim 29, Hsueh discloses that said radiophone network is a Personal Digital Cellular telecommunication system or a personal handy-phone system. See FIG. 1.

4. Claims 2, 11 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,366,784 to Hsueh in view of Torrey et al. (U.S. Patent 6,466,799) and Bultman (U.S. Patent 6,804,536), and further in view of the applicant prior art (Admission).

As to claim 2, Hsueh-Torrey-Bultman discloses the multifunction telephone switching system according to claim 1. However, it does not disclose the control unit sets said specific multifunction telephone to a busy state, after said control unit has permitted said specific multifunction telephone to respond. Admission teaches the control unit sets said specific multifunction telephone to a busy state, after said control unit has permitted said specific multifunction telephone to respond ("when the multifunctional telephone control section 113 detects the off-hook state of the multifunction telephone 105, the multifunction telephone control section 113 notifies the detection result to the line switching control section 112. The line switching control section 112 carries out a channel establishing operation for the multifunction telephone 105. The line switching control section 112 records the off-hook (busy) state of the multifunction telephone 105 on the data storage section 114" (page 7, lines 9-18)).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the switching system of Hsueh-Torrey-Bultman wherein the control unit sets said specific multifunction telephone to a busy state, after said control unit has permitted said specific multifunction telephone to respond, as taught by Admission, in order to properly carry out a call arriving process based on the communication state of the multifunction telephone.

As to claim 11, Hsueh-Torrey-Bultman discloses the multifunction telephone switching system according to claim 1, wherein one of said plurality of multifunction telephone sends a dial data comprising a dial number of a destination radiophone to said control unit (Torrey: see Col. 5, lines 50-67), said control unit sends the dial data to said portable radiophone via said specific multifunctional telephone (Hsueh: see Col. 3, lines 18-29, Torrey: see Col. 5, lines 50-67), and said portable radiophone originates a call to said destination radiophone based on said dial data (Hsueh: see Col. 3, lines 18-29, Torrey: see Col. 5, lines 50-67). However, Hsueh-Torrey does not disclose the control unit sets said one multifunction telephone to a busy state.

Admission teaches the control unit sets said specific multifunction telephone to a busy state ("when the multifunctional telephone control section 113 detects the off-hook state of the multifunction telephone 105, the multifunction telephone control section 113 notifies the detection result to the line switching control section 112. The line switching control section 112 carries out a channel establishing operation for the multifunction telephone 105. The line switching control section 112 records the off-hook (busy) state of the multifunction telephone 105 on the data storage section 114" (page 7, lines 9-18)).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the multifunction telephone of Hsueh-Torrey-Bultman wherein the control unit sets said specific multifunction telephone to a busy state, as taught by Admission, in order to properly carry out a call arriving process based on the communication state of the multifunction telephone.

As to claim 15, Hsueh-Torrey-Bultman discloses the multifunction telephone according to claims 12 and 20. However, it does not disclose the communication control section outputs an operation state of said multifunction telephone when the operation state is changed. Admission teaches the communication control section outputs an operation state of said multifunction telephone when the operation state is changed ("when the multifunction telephone control section 113 detects the off-hook state of the multifunction telephone 105, the multifunction telephone control section 113 notifies the detection result to the line switching control section 112" (page 7, lines 9-13). "The line switching control section 112 records the off-hook state of the multifunction telephone 105 on the data storage section 114" (page 7, lines 15-18)).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the multifunction telephone of Hsueh-Torrey-Bultman wherein the communication control section outputs an operation state of said multifunction telephone when the operation state is changed, as taught by Admission, in order to properly carry out a call arriving process based on the communication state of the multifunction telephone.

Response to Arguments

1. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sam Bhattacharya whose telephone number is (571) 272-7917. The examiner can normally be reached on Weekdays, 9-6, with first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

sb

9/15/05

LESTER G. KINCAID
SUPERVISORY PRIMARY EXAMINER